

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JOHN OLAGUES,

Plaintiff,

v.

SUSAN L. DECKER, et al.,

Defendants.

Case No.: C 07-2686 PVT

**ORDER SETTING DEADLINE FOR
PLAINTIFF TO FILE EITHER A "CONSENT
TO PROCEED BEFORE A UNITED STATES
MAGISTRATE JUDGE," OR ELSE A
"DECLINATION TO PROCEED BEFORE A
UNITED STATES MAGISTRATE JUDGE AND
REQUEST FOR REASSIGNMENT"**

On May 21, 2007, Plaintiff filed an Application to Proceed *In Forma Pauperis*.¹ Based on the file herein,

IT IS HEREBY ORDERED that no later than June 15, 2007, Plaintiff shall file either a "Consent to Proceed Before a United States Magistrate Judge," or else a "Declination to Proceed Before a United States Magistrate Judge and Request for Reassignment." Absent consent, a Magistrate Judge is not authorized to rule on certain matters, such as requests to proceed *in forma pauperis*. See, e.g., *Tripati v. Rison*, 847 F.2d 548 (9th Cir. 1988). Both forms are available from the clerk of the court, or on the court's website at www.cand.uscourts.gov in the forms (civil) section. After receipt of whichever form Plaintiff chooses to file, the appropriate judge will rule on the pending application.

Dated: 5/25/07


PATRICIA V. TRUMBULL
United States Magistrate Judge

¹ The holding of this court is limited to the facts and the particular circumstances underlying the present motion.

1 copies mailed on 5/29/07 to:

2 John Olagues
3 413 Sauve Road
4 River Ridge, LA 70123

5 /s/ Corinne Lew
6 CORINNE LEW
7 Courtroom Deputy
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28